

IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD MEETING

Tuesday – October 7, 2008 – 9:00 A.M.

Division of Building Safety

Board Conference Room

1090 East Watertower Street, Meridian, ID 83642

***DRAFT MINUTES OF THE OCTOBER 7, 2008 MEETING**

NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions.

The meeting was called to order by Chairman Pat Minegar at 9:03 a.m. on Tuesday, October 7, 2008.

Board Members Present:

Pat Minegar, Chairman
Dan Brizee, Vice Chairman (Teleconference)
Carol Alexander (Teleconference)
Steve Brown
Ted Sermon
Tom Daniels
Mike Wisdom

DBS Staff Members:

Kelly Pearce, Administrator
Steve Keys, Deputy Administrator, Operations
Janice Foster, Deputy Administrator, Admin.
Patrick Grace, Deputy Attorney General
Carl Lohrengel, HVAC & Plbg. Bureau Chief
Kirk Weiskircher, Financial Specialist, Principal
Bill Hatch, Public Information Officer
Ron Crouch, OSG Program Supervisor
Russ Owen, HVAC Code Specialist
Pete Peterson, HVAC/Plbg. Inspector Supervisor
Randy Baker, HVAC Inspector
Renee Bryant, Administrative Assistant 2
Danielle Lefler, Administrative Assistant 2
Brandee Pasborg, Office Specialist 2

♦ Open Forum

HVAC Journeyman First Attempt Results – Chris Miller, Boise State University (BSU), distributed the HVAC Journeyman test results from the first graduating class through the HVAC Apprentice program at BSU. Of the 13 graduates, three passed on their first attempt, two passed on their second attempt, one to retake the test due to an error, one to reschedule after failing his first attempt and six to schedule their tests.

♦ Approval of the October 7, 2008 Agenda

MOTION: Ted Sermon moved to approve the Agenda. Mike Wisdom seconded. All in favor, motion carried.

♦ Approval of the July 30, 2008 Board Meeting Minutes

MOTION: Ted Sermon moved to approve the July 30, 2008 Board Meeting Minutes. Mike Wisdom seconded. All in favor, motion carried.

◆ **Request for Administrative Appeals Hearing**

Dan Thompson (NOV #HVC-168) – Dan Thompson did not appear for the hearing. In lieu of default, the Board allowed Jeff Figueroa to represent Dan Thompson with Carrier Corporation. Carl Lohrengel represented the HVAC Bureau of the Division of Building Safety. Patrick Grace was the facilitator. Both parties provided testimony and argument on NOV HVC-168, violation of Idaho Code Section 54-2022, “Unlicensed Contractor or Specialty Contractor”, and “Failure to Permit and/or Pay Applicable Fees”.

MOTION: Carol Alexander made a motion that the Board look at waiving the fine due to the following reasons: 1. This situation helped resolve issues with other contractors involving Public Works licensing and HVAC records, and 2. The Company immediately took corrective action by licensing two employees as HVAC contractors. Mike Wisdom seconded. Four ayes and two opposed, motion carried.

ACTION: Patrick Grace to provide Dan Thompson with a written Final Order of the Board.

◆ **Mandatory Schooling**

A lengthy discussion ensued regarding the mandatory HVAC apprentice registration requirements of concurrent enrollment in a training program and maintaining employment.

Pat Minegar suggested the Division, BSU, Burton Waite, Jerry Peterson, himself and any interested board member meet to investigate the issue of the mandatory HVAC apprentice registration requirements.

MOTION: Mike Wisdom made a motion that the Board considers creating a subcommittee to further discuss this matter, gathering information, and reporting their findings to the Board at their February 2009 meeting. Ted Sermon seconded. All in favor, motion carried.

ACTION: Patrick Grace to create, for Pat Minegar’s signature, an Order establishing a subcommittee.

◆ **Gas Piping Stub Out (Installation Standards)**

Carl Lohrengel reviewed the background, the procedural history, and the proposed motion on this topic. A Design Load Guideline, to include frost depth and snow load for each Idaho jurisdiction, was included in the packet.

The Division recommended revising the draft legislation. The suggested changes are to remove the heavy snowfall language, require stub-outs and regulators be protected and vented at the discretion of the inspector, and maintain the point of termination requirements; stipulating the distance from the source of ignition or venting.

ACTION: Carl Lohrengel to revise the draft language; presenting it at the February 2009 Board meeting.

◆ **Enhanced Contractor Exam**

Carl Lohrengel discussed with ICC the Board’s desire to expand the HVAC contractor exam by 25 questions. Prior to ICC scheduling a meeting, the subcommittee to complete and return

release/confidentiality forms, as well as submit questions. The meeting to be held via webcast/telephone conference.

◆ **Hearth - Solid Fuel**

Patrick Grace researched Idaho codes, International codes, as well as legislative history to determine whether solid fuel and hearths were types of installations included in Idaho's regulatory authority over HVAC systems.

It was recommended to create a draft proposal explicitly excluding solid fuel and hearth installations from HVAC regulation.

MOTION: Ted Sermon made a motion that Patrick Grace and Dan Brizee come back to the February 2009 meeting with language that defines the solid fuel items that will be excluded from the jurisdiction of the HVAC Bureau's inspection capacities. Steve Brown seconded. Five ayes and one opposed, motion carried.

ACTION: The Division, with the assistance of counsel, to create a draft rule that defines solid fuel items to be excluded from jurisdiction of HVAC regulatory authority.

◆ **Bureau Chief's Report**

Quarterly Reports: Carl Lohrengel reviewed the ICC HVAC Exam Summary, Journeyman First Exam Attempts and Notice of Violations/Civil Penalty Reports.

Apprenticeship Program: Burton Waite offered PTE's services in working with DBS in developing and expanding the reporting process; creating an overall view of the whole apprenticeship program.

New NOV Category: At the request of a board member, Carl Lohrengel addressed creating a new NOV category titled, "Failure to Request an Inspection".

MOTION: Carol Alexander made a motion to have Patrick Grace reword the rule to include "request inspections" as part of the requirement as a reason of violation if they do not request an inspection. Steve Brown seconded. All in favor, motion carried.

ACTION: The Division to bring to the February 2009 meeting the revised rule incorporating the new NOV category, "Request Inspections".

◆ **Administrator's Report**

Board Packets – For the Board's benefit and for simplicity purposes, Patrick Grace has included and will continue to include verbiage that can be used for the purpose of motions.

Finance Report - The Financial Report has been moved from the "Consent Agenda" to the "Administrator's Report". This enables DBS staff to explain the report in detail without requiring a vote of approval by the Board.

Kirk Weiskircher reviewed Public Work's Financial Report. Topics addressed were: Month-End Cash Balance, FY 09 Revenue vs. Expenditures, FY 06-09 Expenditures and FY06-09 Revenue.

Agency Savings – The Division’s Purchasing Agent has renegotiated with their cellular account; cutting back on air-time usage. This will be a Division-wide cost savings of approximately \$1,000.00 a month.

Fuel Efficient Vehicles – Inspection areas that do not necessitate four-wheel-drive trucks have been replaced with Ford Focus and Ford Fusion cars.

“Buy Idaho” – The Governor has encouraged state agencies to “Buy Idaho”. In the past, the Parks Department purchased cabins from surrounding states. At the December 8, 2008 Modular Building Advisory Board meeting, the Parks Department to make a presentation; addressing what they are looking for and at, with the intent of cabins slotted for Idaho parks be built in Idaho by Idaho builders.

Economy – In July Administrator Pearce traveled through 11 jurisdictions in Eastern Idaho; meeting with city and county official. Areas thriving are: Bonneville County (nuclear plant); Bannock County/Pocatello (windmill structures, solar energy plant, and community near Inkom); and Bear Lake County/Montpelier (modular plant, and ski resort with 3500 housing units, commercial area and 600 slip marina).

In the Teton Valley/Driggs area production has come to a halt on the development of 33 golf courses with large home communities.

A trip is scheduled to Northern Idaho the week of October 13th; with a visit to Central and Magic Valley at a later date.

Chairman Pat Minegar adjourned the meeting at 12:38 p.m.

PAT MINEGAR, CHAIRMAN
HEATING, VENTILATION AND
AIR CONDITIONING BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

*These DRAFT minutes are subject to possible correction and final approval by the State of Idaho Heating, Ventilation and Air Conditioning Board.